UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

KAREN H. BAUERNSCHMIDT CO., LPA,)) JUDGE CHRISTOPHER A. BOYKO
Plaintiff,) CASE NO. 1:08-cv-1744
v.)) <u>JOINT STIPULATION OF</u>) <u>DISMISSAL WITH PREJUDICE</u>
MARVIN F. POER & CO.,)
Defendant.))

Plaintiff and Counter-Defendant Karen H. Bauernschmidt Co., LPA and Defendant and Counter-Plaintiff Marvin F. Poer & Co., through their counsel, jointly stipulate that the above-captioned matter is hereby dismissed with prejudice, with each party to bear its own costs and fees and waiving all rights of appeal.

Date this 20 date of May, 2009.

Respectfully submitted,

/s/ Victor M. Javitch
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IT IS SO ORDERED.

S/CHRISTOPHER A. BOYKO
U.S. DISTRICT COURT JUDGE

MAY 20, 2009

/s/ Jason P. Reinsch (by permission) Alan N. Greenspan, pro hac vice (TX#08402975) Jason P. Reinsch, pro hac vice (TX#24040120) JACKSON WALKER LLP 901 Main St., Suite 6000 Dallas, TX 75202 (214) 953-6000 (214) 953-5822 (fax) agreenspan@jw.com ireinsch@jw.com Jeffrey S. Dunlap (#0067923) ULMÉR & BERNE LLP 1660 West 2nd Street, Suite 1100 Cleveland, OH 44113 (216) 583-7026 (216) 583-7027 (fax) idunlap@ulmer.com Attorneys for Defendant and Counter-Plaintiff Marvin F. Poer & Co.

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CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of May, 2009, a true and correct copy of the foregoing was served on the parties listed below via electronic means.

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